

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL



(INCLUDING FILING FEE AND/OR PETITION FOR
EXTENSION OF TIME FEE)

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

To: **Commissioner for Patents**
Box RCE
PO Box 1450
Alexandria, VA 22313-1450

Attorney Docket No.: 300.1153

| | | | |
|----------------------|-------------------------|-----------------|-----------------|
| First Named Inventor | Michio HORIUCHI, et al. | | |
| Application No. | 10/816,879 | Group Art Unit | 1795 |
| Filing Date | April 5, 2004 | Examiner | WALKER, KEITH D |
| CPA Filing Date | | Confirmation No | 2665 |
| Title of Invention | FUEL CELL DEVICE | | |

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.

Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 3, 2008
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other

2.


Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. ☐ Other

12/02/2008 SZEWDIE1 00000017 10016879

01 FC:1801
02 FC:1251

810.00 OP
130.00 OP

| | | | | | |
|---|--|--------------------------|--|------------------|-----------|
| | | BASIC FEE | | \$ | 810.00 |
| Since an Official Action set an <u>original</u> due date of <u>November 1, 2008</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$130)); (2 months (\$490)); (3 months (\$1,110)); (4 months (\$1,730)); (5 months (\$2,350)): | | | | \$ | 130.00 |
| Suspension Fee (\$130.00) | | | | | |
| Total of above Calculations = | | | | \$ | 940.00 |
| Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). | | | | | |
| TOTAL FEES DUE = | | | | \$ | 940.00 |
| 4. <input type="checkbox"/> Small entity status: a. <input type="checkbox"/> Verified Statement Claiming Small Entity Status. b. <input type="checkbox"/> A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired. c. <input type="checkbox"/> is no longer claimed. 5. <input type="checkbox"/> Other: | | | | | |
| 6. METHOD OF PAYMENT | | | | | |
| <input checked="" type="checkbox"/> A check in the amount of \$ <u>940.00</u> is enclosed. <input type="checkbox"/> Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.) | | | | | |
| 7. GENERAL AUTHORIZATION | | | | | |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to: Deposit Account No. 19-3935. | | | | | |
| 8. CORRESPONDENCE ADDRESS | | | | | |
| STAAS & HALSEY LLP  21171 PATENT TRADEMARK OFFICE | | | | | |
| 9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED | | | | | |
| NAME | | Michelle M. Koeth | | REGISTRATION NO. | 60,707 |
| SIGNATURE | | <i>Michelle M. Koeth</i> | | DATE | 12/1/2008 |